

REMARKS

Claims 1-18 are pending in this application. By this Amendment, claims 1-18 have been amended. The amendments to claims 1-18 are to place the claims in a common U.S. format and have no bearing on the patentable subject matter of claims 1-18, as the amendments have no effect on how claims 1-18 are interpreted. The amendments to claims 1-18 are non-narrowing. No new matter has been added.

Applicants appreciate the indication of allowability of claims 11 and 12, in paragraph 5, on page 6 of the Office Action. However, for the reasons discussed below, all of claims 1-18 are allowable.

On page 3 of the Office Action, claims 1-10 and 13-18 were rejected under 35 U.S.C. §102(e) over Nomoto et al. ("Nomoto"), U.S. Patent No. 6,853,477 B2. The rejection is respectfully traversed.

Applicants' invention of claim 1 calls for a particle for a display device having a positively or negatively chargeable property and a color, the particle comprising nitrogen atoms in an amount of 0.03 mmol/g to 0.2 mmol/g. Nomoto fails to disclose these features.

Applicants' invention of claim 7 calls for an image display medium, comprising a pair of substrates facing each other; and a particle group composed of at least two or more types of particles sealed in a clearance between the pair of substrates, at least one type of the two or more types of particles having a positively chargeable property, at least another type of the two or more types of particles having a negatively chargeable property, and the positively and negatively chargeable particles, respectively, being of colors that are different from each other, wherein at least one type of the positively and negatively chargeable particles contains nitrogen atoms in an amount of 0.03 mmol/g to 0.2 mmol/g. Nomoto fails to disclose these features.

Applicants' invention of claim 18 calls for an image forming apparatus, comprising an image forming medium on which an image is formed; and an electric field generating means, wherein the image forming medium includes a pair of substrates facing each other; and a particle group composed of at least two or more types of particles sealed in a clearance between the pair of substrates, at least one type of the two or more types of particles having a positively chargeable property, at least another type of the two or more types of particles having a negatively chargeable property, the positively and negatively chargeable particles respectively being of colors that are different from each other, at least one type of the positively and negatively chargeable particles containing nitrogen atoms in a predetermined content, and the nitrogen atoms taking a bond formation enabling reduction in aggregation between the nitrogen-containing particles and reduction in peeling of the nitrogen-containing particle from a substrate, and wherein the electric field generating means generates an electric field corresponding to image information, between the pair of substrates, to thereby form an image on the image forming medium. Nomoto fails to disclose these features.

Nomoto describes a method for producing polyhydroxyalkanoate (PHA) synthesizing enzyme using PHA-producing microorganisms that are grown in an inorganic culture medium (col. 16, lines 29-67). However, nowhere does Nomoto disclose that the particle for a display device includes nitrogen atoms in an amount of 0.03 mmol/g to 0.2 mmol/g. The composition of M9 medium for use in producing the PHA microorganisms is not a particle for a display device, but instead, is the medium used to grow the microorganism. Nowhere in col. 16, lines 60-67, does Nomoto describe a particle having nitrogen atoms in an amount of 0.03 mmol/g to 0.2 mmol/g or any other amount. The composition of the medium described in col. 16, lines 60-67, is completely irrelevant because the medium composition is not a particle for a display device. In other words, the M9 medium is what is used to cultivate and

grow the microorganism. It is not a particle. Thus, Nomoto does not disclose the features as recited in claims 1 and 7.

Further, Nomoto does not disclose the features as recited in claims 7 and 18 because Nomoto does not disclose a particle group composed of at least two or more types of particles sealed in a clearance between the pair of substrates, at least one type of the two or more types of particles having a positively chargeable property, at least another type of the two or more type of particles having a negatively chargeable property, and the positively and/or negatively chargeable particles being of colors that are different from each other.

Nomoto discloses that the positively chargeable electrophoretic particles 4 are positively charged and are deposited on the negative first electrode 5 (Fig. 1B). The electrophoretic particles 4 that are in the insulating liquid 3 can be moved on both the electrodes by changing the polarity of voltages applied to the first electrode 5 and second electrode 6 (col. 27, lines 25-28). Although Nomoto does describe that the electrophoretic particles can be either the positive or a negative charge, nowhere does Nomoto disclose that the electrophoretic particles 4 are a particle group composed of at least two or more types of particles, where one type of the two types of particles has a positively chargeable property and the other type of the two types of particles has a negatively chargeable property.

Furthermore, Nomoto only describes that the electrophoretic particles 4 are a single color (i.e., black) (col. 27, lines 60-65) in statements that other layers, such as the insulating layer 7, first electrode 5, etc. can be observed to contrast with particles 4 (col. 27, lines 48-60). Nomoto does describe the electrophoretic particles 4 as colored (e.g., yellow, cyan, magenta, etc.), but this simply means that all the electrophoretic particles 4 are the same color, such as yellow or cyan or magenta. Nomoto is silent as to whether the electrophoretic particles 4 are colored differently from each other (col. 26, lines 65-67). We simply do not know if particles 4 are different colors from each other because the only reference to colors

given by Nomoto is that the electrophoretic particles 4 can be black, yellow, cyan, magenta, or any other color, but this does not mean that the electrophoretic particles 4 are different colors from each other. Thus, Nomoto does not disclose the features as recited in claims 7 and 18.

Because Nomoto does not disclose each and every feature of Applicants' claimed invention as recited in claims 1, 7, and 18, the rejection under 35 U.S.C. §102 is inappropriate. Further, for the reasons discussed, Nomoto does not suggest the features of claims 1, 7, and 18.

Because Nomoto does not anticipate or suggest the features of claims 1, 7, and 18, Nomoto cannot possibly anticipate the subject matter of claims 2-6, which depend from claim 1, and the subject matter of claims 8-10 and 13-17, which depend from claim 7, for the reasons discussed with respect to claims 1 and 7 and for the additional features recited therein. It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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